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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,594	06/14/2001	Patrick N. Sollee	NORT0098US (14529RRUS01U)	6422
	7590	11/05/2004	EXAMINER ALAM, UZMA	
Dan C. Hu TROP, PRUNER & HU, HU, P.C. 8554 Katy Freeway, Suite 100 Houston, TX 77024			ART UNIT 2157	PAPER NUMBER

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/881,594	Applicant(s) SOLLEE, PATRICK N.	
	Examiner Uzma Alam	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the application filed on June 14, 2001. Claims 1-26 are pending. Claims 1-26 represent a method and system for use in real time communications.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-26 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Xu
US Patent Publication No. 2002/0122416.

Xu teaches the invention as claimed including a call system using RTP (see abstract).

As per claim 1, Xu discloses a method for use in communications involving a first terminal that is coupled to one side of a firewall and network address translator, the method comprising:

sending, by the first terminal, a message identifying the first terminal to a node on another side of the firewall and network address translator (sending a message to node; paragraphs 0013, 0018, 0034, 0036, 0093);

receiving, by the first terminal, another message from the node, wherein the messages between the first terminal and the node causes creation of a path through the firewall and

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network address translator (sending messages from a node on one side of a network to another node outside of the network; paragraphs 0038, 0039, 0041, 0043, 0093); and

repeatedly sending keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages and using real-time messaging; paragraphs 0006, 0037, 0067, 0068).

As per claim 2, Xu discloses the method of claim 1, further comprising receiving a call request, by the first terminal, from the node over the path maintained through the firewall and network address translator (requesting a call from a client; paragraphs 0043, 0069).

As per claim 3, Xu discloses the method of claim 1, wherein repeatedly sending the keep-alive messages is based on a timer in the first terminal (paragraph 0067).

As per claim 7, Xu discloses the method of claim 1, further comprising exchanging messages, by the first terminal, with the node over the path maintained through the firewall and network address translator to establish a call session (paragraph 0043).

As per claim 8, Xu discloses a system for use in communications between a first terminal and a second terminal, the first terminal coupled to a remote network address translator, the system comprising:

a storage module to store network address translation information for the first terminal (a controller and directory server; paragraphs 0047, 0060, 0061, 0093); and

a controller adapted to partially create the network address translation information during setup of a communications session between the first and second terminals and to wait for a media packet originated by the first terminal after the communications session has been set up to complete the network address translation information (a controller and a directory server connecting nodes on two different networks; paragraphs 0048, 0062, 0063, 0081, 0082).

As per claim 9, Xu discloses the system of claim 8, wherein the media packet contains a source address, the source address comprising a public address that is allocated to the first terminal by the remote network address translator (the NAT assigns addresses; paragraphs 0039, 0046, 0048-0051, 0053).

As per claim 10, Xu discloses the system of claim 9, wherein the public address of the first terminal is unknown to the controller until after the media packet has been received (paragraphs 0046, 0052, 0094).

As per claim 11, Xu discloses the system of claim 10, wherein the controller is adapted to further exchange control packets with a device containing the remote network address translator to set up the communications session between the first and second terminals (paragraphs 0046, 0052, 0070, 0071).

As per claim 12, Xu discloses the system of claim 11, wherein at least one of the control packets from the device contains an identifier to identify a private address of the first terminal

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that is to be used for communications of media packets (paragraphs 0053, 0054, 0064, 0070, 0073).

As per claim 13, Xu discloses the system of claim 12, wherein the controller is adapted to ignore the private address of the first terminal for communicating media packets between the first and second terminals (paragraphs 0065, 0076).

As per claim 14, Xu discloses the system of claim 11, wherein the control packets comprise Session Initiation Protocol control packets (paragraphs 0011).

As per claim 15, Xu discloses the system of claim 14, wherein the media packet contain Real-Time Protocol data (paragraphs 011, 0050, 0058, 0096).

As per claim 16, Xu discloses the system of claim 14, wherein the media packet contains at least one of the following types of data: file transfer data, interactive electronic gaming data, and whiteboarding data (paragraphs 0011, 0014, 0018, 0091).

As per claim 17, Xu discloses the system of claim 8, wherein the network address translation information comprises information to map a network address of the first terminal to an alias address of the first terminal (paragraphs 0054, 0096, 0097).

As per claim 18, Xu discloses the system of claim 17, wherein the network address translation information further comprises information to map a network address of the second terminal to an alias address of the second terminal (paragraphs 0052, 0095-0097).

As per claim 19, Xu discloses the system of claim 17, wherein the controller is adapted to transmit media packets originated by the first terminal to the second terminal, each media packet containing the first terminal alias address as a source address (paragraphs 0071, 0095-0097).

As per claim 20, Xu discloses the system of claim 8, wherein the controller comprises plural modules, the plural modules comprising a first module adapted to exchange call control signaling and a second module adapted to exchange media packets between the first and second terminals (paragraphs 0046, 0081, 0082).

As per claim 21, Xu discloses an article comprising at least one storage medium containing instructions for establishing communications between a first terminal and a second terminal, the instructions when executed causing a system to:

store network address translation information for the first terminal that resides behind a remote network address translator (a controller and directory server; paragraphs 0047, 0060, 0061, 0093);

partially create the network address translation information during setup of a communications session between the first terminal and the second terminal (a controller and a

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directory server connecting nodes on two different networks; paragraphs 0048, 0062, 0063, 0081, 0082); and

wait for a media packet originated by the first terminal after the communications session has been set up to complete the network address translation information (a controller and a directory server connecting nodes on two different networks; paragraphs 0048, 0062, 0063, 0081, 0082).

As per claim 22, Xu discloses the article of claim 21, wherein the instructions when executed cause the system to store network address translation information containing fields to map an address of the first terminal to a first alias address and to map an address of the second terminal to a second alias address (paragraphs 0052, 0095-0097, 0071).

As per claim 23, Xu discloses the article of claim 22, wherein the instructions when executed cause the system to further:

communicate, through the system, media packets between the first and second terminals, each media packet containing a source address and a destination address (paragraphs 0054, 0096, 0097); and

translate, for each media packet, both the source and destination addresses (paragraphs 0054, 0096, 0097).

As per claim 24, Xu discloses the article of claim 21, wherein the media packet from the first terminal contains a source address, the source address comprising a public address that is

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allocated to the first terminal by the remote network address translator, the public address of the first terminal being unknown to the system until after the media packet has been received (paragraphs 0039, 0046, 0048-0053, 0094).

As per claim 25, Xu discloses a device capable of being used in communications through a firewall and network address translator, the device comprising:

an interface adapted to exchange messages with a node on another side of the firewall and network address translator, the exchange of messages with the node to create a path through the firewall and network address translator (sending a message to node; paragraphs 0013, 0018, 0034, 0036, 0093; sending messages from a node on one side of a network to another node outside of the network; paragraphs 0038, 0039, 0041, 0043, 0093); and

a controller adapted to repeatedly send keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages and using real-time messaging; paragraphs 0006, 0037, 0067, 0068).

As per claim 26, Xu discloses the device of claim 25, further comprising a timer to determine timing of the keep-alive messages (paragraph 0067).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu US Patent Publication No. 2002/0122416 in view of Roach US Patent Publication No. 2002/0037723.

Roach teaches the invention substantially as claimed including using SIP (see abstract).

As per claim 4, Xu discloses the method of claim 1. See paragraphs 0009-0010. Xu does not disclose wherein sending the identifying message comprises sending a registration message to register the first terminal with the node. Roach discloses sending the identifying message comprises sending a registration message to register the first terminal with the node. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages of Roach with sending messages of Xu. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

As per claim 5, Xu and Roach disclose the method of claim 4. Xu and Road do not disclose wherein sending the registration message comprises sending a Session Initiation Protocol REGISTER message. Roach discloses sending the registration message comprises sending a Session Initiation Protocol REGISTER message. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages with the SIP REGISTER message of Roach with sending messages of Xu. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

As per claim 6, Xu and Roach disclose the method of claim 5. Xu and Roach do not disclose wherein sending the registration message comprises sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. Roach discloses sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages to a SIP Proxy of Roach with sending messages of Xu. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fallentine et al. US Patent Publication No. 2002/0042832

Piche et al. US Patent Publication No. 2004/0095937

Naito et al. US Patent Publication No. 2004/0153549


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday-Tuesday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PRIMARY EXAMINER